

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-5 and 7-8 are pending, Claims 1, 2, 3 and 5 having been amended, and Claim 6 canceled without prejudice or disclaimer by way of the present amendment. The subject matter of now canceled Claim 6 has been incorporated into the above mentioned independent claims and therefore no new matter is added.

In the outstanding Office Action the Abstract was objected to; and Claims 1-6 were rejected as being anticipated by Ruffini (WO 0042728, hereinafter Ruffini).

In reply, the Abstract has been amended as requested.

Claim 1, for example is directed to radio access network having a synchronous server and at least one node. The synchronous server includes a clock generator and a synchronous message transmitter that transmits a generated synchronous message to the node using an IP packet. The node includes a time calculator configured to obtain a time of receiving the synchronous message. The node also includes a clock correction processor configured to calculate a clock correction value in accordance with the time of receiving the synchronous message and generating a timing of a clock in the node in accordance with the clock correction value. When the time calculator measures a reception interval of the synchronous message and calculates the clock correction value without using the synchronous message when the reception interval of the synchronous message is more than a predetermined threshold.

An advantage with the clock correction processor that does not use the reception interval of the synchronous message is that it allows for seamless operations even when large delay fluctuations occur in the network. Such fluctuations would otherwise make the

transmitter and receiver time differentials invalid (see, e.g., page 12, lines 25-27). (See, e.g., also page 2, lines 21-27).

Ruffini is asserted as anticipating the presently claimed invention. The Office Action asserts that Ruffini discloses all of the elements of each of the pending claims. With regard to Claim 6, which is now incorporated into the independent claims, the outstanding Office Action asserts that Ruffini calculates the clock correction value without using the synchronous message when the reception interval of the message is more than a predetermined threshold (citing page 26, lines 23-27). Applicants respectfully traverse this characterization.

Ruffini is quite clear that the entire operation of Ruffini is based on the physical requirements “within this delimited network B are so well defined that the transmission time of a time stamp sent from the transmitting unit 12 to respective elements 2, 3, 4 will be known to respective elements within a given degree of certainty” (page 25, lines 8-11), see also, Abstract. Thus, the system in Ruffini requires the performance conditions of limited network B so that the time stamps will be known within a given degree of certainty.

Comparing amended Claim 1 with Ruffini, Ruffini places specific requirements on the network so as to keep the transmitted time stamps to be known within a given degree of certainty. The presently claimed invention expressly distinguishes such a restriction because it does not use the synchronous message to calculate the correction value when the reception interval is more than a predetermined threshold. Ruffini simply requires that the network B never experience a situation where the reception interval is greater than the threshold and is able to work in a much broader context than the controlled situation in Ruffini. Although of different statutory class and/or scope, it is respectfully submitted that Claims 2-5 and 7-8, as amended, although of different statutory class and/or scope, also patentably define over Ruffini for at least the same reasons discussed above with regard to amended Claim 1.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that Claims 1-5 and 7-8, as amended, patentably define over the asserted prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this rejection is therefore requested.

Respectfully submitted,

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